

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

DAVID FRANCIS GAY,
Plaintiff

v.

CORRECTIONAL MEDICAL SERVICES,
KEITH TALLON, TOM BUCK and
MELISSA CHENNEY,
Defendants

:
:
:
:
:
:
:
:
:
:

File No. 1:04-CV-289

ORDER

The Magistrate Judge's Report and Recommendation was filed March 27, 2006 (Paper 31). After de novo review and over objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1). Defendant's motion for summary judgment (Paper 27) is DENIED. This matter is hereby returned to the Magistrate Judge for further proceedings.

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 11th day of April, 2006.

/s/ J. Garvan Murtha
J. Garvan Murtha
United States District Judge